

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the above amendments and following remarks, is respectfully requested.

Claims 13-16 remain active in this application. By this amendment, Claims 14 and 16 have been amended. As the amendments to Claims 14 and 16 are directed to formal matters, it is respectfully submitted that no new matter has been entered.

In the outstanding Office Action, Claim 14 was objected to as informal; Claims 14 and 16 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement; Claims 13-15 were rejected under 35 U.S.C. § 102(e) as being anticipated by Knudson et al. (US 2006/0095937 A1, hereinafter “Knudson”); and Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Knudson in view of Patel et al. (US 2004/0078829 A1, hereinafter “Patel”).

Patel has a filing date of August 18, 2003 and the parent file of Patel, application number 10/302,550 has a filing date of November 22, 2002. Both dates post-date the filing date of applicants’ priority document 2002/185584 filed in Japan on June 26, 2002. In order to perfect the claim for priority, an English translation of that priority document is attached along with a statement that the translation is accurate. Accordingly, Patel is not available as a reference under any section of 35 U.S.C. § 102. Accordingly, it is respectfully submitted that the rejection of claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Knudson in view of Patel has been overcome.

Responsive to the objection to Claim 14, Claim 14 line 3 has been amended to read “wherein said first device receives” It is respectfully requested that the objection to Claim 14 be reconsidered and withdrawn.

The rejection of Claims 14 and 16 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, is respectfully traversed. The Office Action

asserts “[t]he specification provides no support for receiving the file **from** a recording and playback apparatus.” Applicants respectfully disagree.

The paragraph bridging pages 30 and 31 the specification states:

When it is determined that the search mode based on characteristic words is selected, the process proceeds to step S42. The recording/reproducing apparatus 3 issues an instruction to the server 2 connected to the network 1 so as to supply the characteristic word file 103.

As shown in FIG. 13 box S42 “ISSUE INSTRUCTION TO SUPPLY CHARACTERISTIC WORD FILE” is shown providing an output to SERVER 2. That is, the progression of arrows in FIG. 13 shows the arrows coming from the RECORDING/REPRODUCING APPARATUS 3 to S41 SET TO SEARCH MODE? to S42 ISSUE INSTRUCTION TO SUPPLY CHARACTERISTIC WORD FILE to SERVER 2. Thus, the specification provides support for the recitation in Claim 14 “wherein said first device receives a file containing information about said characteristic word from said recording and playback apparatus.” Similarly, the specification provides support for the similar recitation of Claim 16. Therefore, it is respectfully requested that the rejection of Claims 14 and 16 under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

Claim 13 recites:

a device configured to transmit information about a characteristic word selected by said user to a recording and playback apparatus; and

a second device configured to receive television program information about a television program corresponding to said selected characteristic word transmitted from said recording and playback apparatus as a result of transmitting information about said selected characteristic word.

Independent Claims 15 and 16 recite similar subject matter. It is respectfully submitted that these features are neither disclosed by nor rendered obvious by Knudson thereof.

The Office Action asserts that Knudson teaches:

A device (server) configured to transmit information about a characteristic word selected by said user to a recording and playback apparatus (a server with a database 24 performs a search of program guide information and transmits the search results back to the user equipment [0062]; user equipment may be a recording and playback apparatus [0040]); and

A second device (television) configured to receive television program information about a television program corresponding to said selected characteristic word transmitted from said recording and playback apparatus as a result of transmitting information about said selected characteristic word (a television 40 [Fig 1] displays the search results for the user [0063]).

The Office Action makes similar assertions with regard to Claims 15 and 16. Applicants respectfully disagree.

Knudson states in paragraph [0062] “[t]he search may be performed in database 36 or 45 by the user equipment 26 or 28, or alternatively in database 24 at television distribution facility 20 when a client-server architecture is used (FIG. 1).” Knudson further shows in FIG. 2 that after program listings are searched for programming matching a selected category in box 76 that the display displays the search result in box 78. That is, Knudson fails to describe a device configured to transmit information about a characteristic word selected by said user to a recording and playback apparatus. Further, Knudson fails to describe a second device configured to receive television program information about a television program corresponding to said selected characteristic word transmitted from said recording and playback apparatus as a result of transmitting information about said selected characteristic word. Therefore, Knudson fails to describe the features of Claim 13 quoted above and the similar recitations recited in Claims 15 and 16.

Furthermore, the Office Action fails to clearly point out where the above quoted features are asserted to be described in Knudson. For example, Knudson paragraph [0063] states “[a]t step 78, the program guide displays the results of the search, i.e., the program listings that match the selected category.” There is no description in this paragraph or

elsewhere of “a second device (television) configured to receive television program information about a television program corresponding to said selected characteristic word **transmitted from said recording and playback apparatus as a result of transmitting information about said selected characteristic word** [emphasis added]” as asserted in the Office Action.

It is respectfully submitted that Claim 14 is patentable at least for the reasons argued above with regard to Claim 13 from which it depends.

Accordingly, it is respectfully requested that the rejections of Claims 13-16 be reconsidered and withdrawn, and that Claims 13-16 be found allowable.

Consequently, for the reasons discussed in detail above no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Michael L. Gellner
Registration No. 27,256